

E-Filed on 02/08/08

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5 Special Litigation Counsel for USACM Liquidating Trust

6 **UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

7 In re:
8 USA COMMERCIAL MORTGAGE COMPANY,
9 Debtor.

Case Nos.:
BK-S-06-10725-LBR
BK-S-06-10726-LBR
BK-S-06-10727-LBR
BK-S-06-10728-LBR
BK-S-06-10729-LBR

10 In re:
11 USA CAPITAL REALTY ADVISORS, LLC,
12 Debtor.

JOINTLY ADMINISTERED
Chapter 11 Cases

13 In re:
14 USA CAPITAL DIVERSIFIED TRUST DEED FUND,
15 LLC,
16 Debtor.

Judge Linda B. Riegle

17 In re:
18 USA CAPITAL FIRST TRUST DEED FUND, LLC,
19 Debtor.

20 In re:
21 USA SECURITIES, LLC,
22 Debtor.

**NOTICE OF HEARING ON
USACM LIQUIDATING
TRUST'S MOTION TO
COMPEL PRODUCTION OF
DOCUMENTS BY WELLS
FARGO**

Hearing Date: February 21, 2008
Hearing Time: 9:30 a.m.

23 Affects:
24 All Debtors
 USA Commercial Mortgage Company
 USA Capital Realty Advisors, LLC
 USA Capital Diversified Trust Deed Fund, LLC
 USA Capital First Trust Deed Fund, LLC
 USA Securities, LLC

25 PLEASE TAKE NOTICE that a hearing on the Motion to Compel Production of
26 Documents by Wells Fargo (the "Motion") filed by the USACM Liquidating Trust (the "Trust")
will be held on **Thursday, February 21, 2008, at 9:30 a.m.** before the Honorable Linda B.

1 Riegle, United States Bankruptcy Court, Foley Federal Building, 300 Las Vegas Boulevard South,
2 Courtroom 1, Las Vegas, Nevada 89101.

3 **NOTICE IS FURTHER GIVEN** that, pursuant to Local Rule 9014(e)(1), any opposition
4 to the Motion must be filed and service completed upon the USACM Liquidating Trust not more
5 than fifteen (15) days after service of the Motion, but in no event later than five (5) business days
6 before the date set for the hearing. The opposition must set forth all relevant facts and must
7 contain a legal memorandum.

8 If you object to the relief requested in the Motion, you **must** file a **WRITTEN** response to
9 the Motion with the Court. You **must** also serve your written response on the person who sent
10 you this notice.

11 If you do not file a written response with the Court, or if you do not serve your written
12 response on the person who sent you this notice, then:

- 13 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
14 • The Court may *rule against you* without formally calling the matter at the hearing.

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2 Dated: February 8, 2008

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5 **DIAMOND MCCARTHY LLP**

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15 By: /s/ Eric D. Madden
16 Allan B. Diamond, TX 05801800 (pro hac vice)
17 William T. Reid, IV, TX 00788817 (pro hac vice)
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23 *Special Litigation Counsel*
24 *for USACM Liquidating Trust*

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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the law firm of DIAMOND MCCARTHY LLP, and that on the 8th day of February 2008, I served a true and correct copy of the foregoing **NOTICE OF HEARING ON USACM LIQUIDATING TRUST'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS BY WELLS FARGO** by electronic transmission to Wells Fargo, Attn: Toysha Martin at toysha.r.martin@wellsfargo.com and by United States Mail, first class postage prepaid to Toysha Martin at the following address: Wells Fargo Law Department, S4101-142, Suite 1418, 100 W Washington, 14th Floor, Phoenix, AZ 85003.

/s/ Catherine A. Burrow, CLA
Catherine A. Burrow, CLA
Diamond McCarthy LLP

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